IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 19402 of 2000

Between:

Jayanthi Agraharam T.C.S., Bheemunipatnam Mandal, Visakhapatnam District, represented by its President: Bandiboina Appanna,. S/o. late Appala Swamy, 38 years, toddy Tapper, R/o. Jayanthi Agraharam, Bheemunipatnam Mandal, Visakhapatnam District.

..... PETITIONER

AND

1. The Commissioner, Prohibition and Excise, Nampally, Hyderabad.
2. The District Collector, Maharanipeta, Visakhapatnma.
3. The Prohibition and Excise Superintendent, Cina Waltair, Visakhapatnam.
4. The Sub-Divisional Prohibition and Excise Officer, Visakhapatnam.
5. Gandiboina Ramu, s/o. Pothaiah, R/o. Kapuluppada village, Bheemunipatnam Mandal, Visakhapatnam District.
6. Gandiboina Guruvulu, s/o. Ramaswamy, R/o. Kapuluppada, Bheemunipatnam Mandal, Visakhapatnam District.
7. Gandiboina Narasamma, s/o. Potha Baidu, r/o. Pathaparadesipalem, Bheemunipatnam Mandal, Visakhapatnam District.
8. Gandiboina Appanna, s/o. Appanna., R/o. Pathaparadesipalem, Bheemunipatnam Mandal, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of mandamus declaring the action of the respondents 1 to 4 herein in issuing the

Rc.No.1476/9/B2, dated 6-7-2000 issued by the District Collector, Visakhapatnam i.e., second respondent herein, sanctioning T.F.T. at Kapuluppada consisting of respondents 5 to 8 as directed in Cr.No.16666/99/CPE/E3, dated 26-5-2000 of the first respondent herein as illegal, arbitrary, biased, unconstitutional and principles of natural justice.

Counsel for the Petitioner:MR.D.S.N.V.PRASAD BABU (Not present)

Counsel for the Respondent Nos. 1 to 4: G.P. FOR PROHIBITION & EXCISE.

Counsel for the Respondent Nos 5 to 8: MR.T.NIRANJAN REDDY

The Court made the following :

ORDER:

When the matter had came up on 04-08-2004 none appeared on behalf of the petitioner, nor there is any representation and even though, when the matter was adjourned to today, a request is being made by the counsel for the petitioner for further adjournment, which is wholly unsustainable. Hence, I do not find any justification to consider such request.

The writ petition is accordingly dismissed for non-prosecution. No costs.

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03-11-2004

To

1. The Commissioner, Prohibition and Excise, Nampally, Hyderabad.
2. The District Collector, Maharanipeta, Visakhapatnma.
3. The Prohibition and Excise Superintendent, Cina Waltair, Visakhapatnam.
4. The Sub-Divisional Prohibition and Excise Officer, Visakhapatnam.
5. Two copies to the Government Pleader for Prohibition & Excise, High Court Building, Hyderabad. (OUT).
6. Two C. D. copies.

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